

In The United States District Court For
the Middle District of Alabama

Kennedy Minnifield Pro se

RECEIVED
Civil action no

Board vs Pardon and Parole

OCT - 5 2020

Violated his Federal Constitution Rule 38

8th Amendment Constitution

Summons: Acknowledgment

Federal Rule 39: Request for leave to actually proceed:

Alabama Rules of Federal Civil Procedure

Alabama Rules Civil Procedure Rule 56(e)

To any United States Federal Marshal or any
Person authorized by either Rule (4) 1. (b) 2. or 4. (2)

SR (4) 1. (b) 2. of Alabama Rules of Federal Civil Procedure

must Go by and Service the defendant at the Parole,
Board at Parole Board Director Charles Graddick

you are actually hereby Commanded by these Rules
to Service this Summons and Complaint to the
defendant within 30 days: State Claim:

8th Amendment Rights Violated and Federal Constitution

Violation: Violations of his Rights Under the Constitution
or Law of the United States Constitution: Violation of

Section 12-25-32. With not comply with their own Section's
any Prisoner has not done or actually served or done

at Least one 1/3 of his Sentence or 10 years in
the State Penitentiary Require to do before being

Release: Questions of Law, Minnifield have actually
done over the Require time Parole board

want. He has Service or done 36 Long Years.

Kennedy Minnifield is Seeking an immediately
Release from D.C. - Custody: NO Money wanted

(2)

In the United States District Court for
the Middle District of Alabama

Kennedy Minnifield Pro-se

Civil Action no

Board of Pardons and Parole et al

RECEIVED

Violated his Federal Constitution Rights

State Claim. Discrimination Claim.

2020 OCT -5 A 11: 28

State Claim. 8th Amendment Violation.

DEBRA P. HACKETT, CLK
 U.S. DISTRICT COURT
 MIDDLE DISTRICT ALA

Rule 39. Request For Full leave to Proceed:

Alabama Rules Civil. P. Rule 56(e)

State Claim 14th Amendment Constitution. Due Process violation.
Must be giving an fair opportunity to be heard in
open Court. Lawsuit and Complaint is being

brought and filed against Alabama Pardons and
Parole: UNDER 8th Amendment Constitution violation.

Cruel and unusual Punishment: State Claim.

Discrimination Claim. *No money wanted.

Plaintiff Minnifield, has no other way or avenue for
Relief. after 36 long years. Immediately Release.

Lawsuit and this Complaint is actually being brought
and being filed against the Parole board at this

time? State claim 8th Amendment Constitution violation.

Discrimination Claim. Plaintiff Minnifield is Request
For immediately Release after 36 years.

Challenging Section 12-25-32. Parole board are in
violation of: State any Person has not done or
Serve one 1/3 of his Sentence or time. or 10
years in the State Penitentiary is Required to do.
allow Record to show Plaintiff Minnifield has
done over it. 36 long years day for day.

Plaintiff Minnifield Request For 1. Fair opportunity
to be Release after 36 years.

State Claim. Prison system over crowding.

FILED IN OFFICE~~NOT TO BE USED~~Evidence he have 9 leaf
of them.~~INMATE, CORRECTOR, CLERK~~STATE OF ALABAMA
DEPARTMENT OF CORRECTIONS

Supervisor/Correctional Officer Report

1. Institution: <u>SCCF</u>	2. Date: <u>4-9-12</u>
3. Inmate Name: <u>Kennedy Minnfield</u>	4. AIS#: <u>130651</u>
5. Job: <u>Chapel worker</u>	6. Race: <u>Black</u> 7. Sex: <u>Male</u>
8. Reason for Report: <u>I feel he strives hard to achieve his actions and attitude merit him privileges he may be eligible for parole</u>	
9. Number of hours supervised per day:	10. Supervision is: <input type="checkbox"/> Direct <input checked="" type="checkbox"/> In-direct
11. Evaluation Areas: Provide a brief response to each of the following. If you do not know about a particular area please say so. Do not answer good or bad without giving the specific reason (s) behind your answer.	
A. <u>Adjustment to Incarceration</u> : <input type="checkbox"/> Poor <input type="checkbox"/> Fair <input type="checkbox"/> Good <input checked="" type="checkbox"/> Excellent Comments: <u>Has overall good attitude and has adjusted well</u>	
B. <u>Work Performance</u> : <input type="checkbox"/> Malingerer <input type="checkbox"/> Gets By <input checked="" type="checkbox"/> Performs Well <input type="checkbox"/> Unusually Good Worker Comments: <u>Has always done a good job whenever asked to do so</u>	
C. <u>General Attitude</u> : <input type="checkbox"/> Poor <input type="checkbox"/> Fair <input type="checkbox"/> Good <input checked="" type="checkbox"/> Excellent Comments: <u>Has a good demeanor</u>	
D. <u>Relationship with Other Inmates</u> : <input type="checkbox"/> Poor <input type="checkbox"/> Fair <input checked="" type="checkbox"/> Good <input type="checkbox"/> Excellent Comments: <u>Generally gets along well with other inmates</u>	
E. <u>Relationship with Correctional Staff</u> : <input type="checkbox"/> Poor <input type="checkbox"/> Fair <input checked="" type="checkbox"/> Good <input type="checkbox"/> Excellent Comments: <u>Generally get along well with staff, no discipline</u>	
F. <u>Utilization of Spare Time</u> : <input type="checkbox"/> Poor <input type="checkbox"/> Fair <input type="checkbox"/> Good <input checked="" type="checkbox"/> Constructive Comments: <u>Keeps busy with physical activities and goes to church</u>	
G. <u>Personal Appearance</u> : <input type="checkbox"/> Unkempt <input type="checkbox"/> Average <input checked="" type="checkbox"/> Always Well Groomed Comments: <u>Keeps personal hygiene up always meet standards</u>	
H. <u>Maintenance of Living Area</u> : <input type="checkbox"/> Messy <input type="checkbox"/> Average <input checked="" type="checkbox"/> Neat and Tidy Comments: <u>Living quarters are very clean.</u>	
12. Certification: <u>I am aware that this report can be used in consideration of less restrictive placement, change of custody, or restoration of Good Time.</u>	
<u>Tertius McKee (co)</u> Name of Supervisor/Correctional Officer	<u>Tertius McKee</u> Signature
<u>CO</u> Position/Title	<u>A-Day</u> Shift
13. Shift Commander Review:	
<u>Carla Graham CL</u> Shift Commander Name	<u>Carla Graham</u> Signature
<u>4-7-12</u> Date	<u>A Day</u> Shift

Carmen L. Jones Sent 11:00 AM 4/10/12

Legal Argument
Grounds for immediately Release
Violations of his Rights Under Constitution
or Laws of the United States: Challenge

Parole board are in violation of they own on
Section 12-25-32- The board Shall not Grant
a Parole to any Prisoner who has not served
at least one third or 10 years of his
Sentence; whichever is the lesser- except
by a unanimous affirmative vote of
the board. See Exhibit - Documents.

State Claim 8th Amendment Violation-
Under cruel and unusual Punishment.

Kennedy Minnifield, has actually done over
the time is actually Require From Parole
Board: allow Record Show he has do
36 years in D.C. Prison:

Due to all the time he has after done
will the Federal Court Step in and order:

The Pardon and Parole to immediately
Release Kennedy Minnifield.

After 36 years he ask for an immediately
Release. to Money want in this action.

State Claim- Alabama Prison System is

* actually Suffering from Prison overcrowding
Request that this honorable Court Proceed under
its own Rules 39- to Review this Matters
and Complaine and to ~~Reverse~~ Reverse the
Judgment of the Parole board.

Constitution Right must be heard.

See Document

§ 15-22-28. Investigations. [Effective until September 1, 2019] Investigation Request For Request For an Investigations on Parole board

(a) It shall be the duty of the Board of Pardons and Paroles, upon its own initiative, to make an investigation of any and all prisoners confined in the jails and prisons of the state, through use of a validated risk and needs assessment as defined in Section 12-25-32, with a view of determining the feasibility of releasing the prisoners on parole and effecting their reclamation. Reinvestigations shall be made from time to time as the board may determine or as the Department of Corrections may request. The investigations shall include such reports and other information as the board may require from the Department of Corrections or any of its officers, agents or employees.

(b) It shall be the duty of the Department of Corrections to cooperate with the Board of Pardons and Paroles for the purpose of carrying out the provisions of this article.

(c) Temporary leave from prison, including Christmas furloughs, may be granted only by the Commissioner of Corrections to a prisoner for good and sufficient reason and may be granted within or without the state; provided, that Christmas furloughs shall not be granted to any prisoner convicted of drug peddling, child molesting or rape, or to any maximum security prisoner. A permanent, written record of all such temporary leaves, together with the reasons therefor, shall be kept by such commissioner. He shall furnish the Pardon and Parole Board with a record of each such leave granted and the reasons therefor, and the same shall be placed by the board in the prisoner's file.

(d) No prisoner shall be released on parole except by a majority vote of the board. The board shall not parole any prisoner for employment by any official of the State of Alabama, nor shall any parolee be employed by an official of the State of Alabama and be allowed to remain on parole; provided, however, that this provision shall not apply in the case of a parolee whose employer, at the time of the parolee's original employment, was not a state official.

BURDEN OF PROOF - State Claim - Abuse of Power Exhibit
(e) For violent offenses as defined in Section 12-25-32, the board shall not grant a parole to any prisoner who has not served at least one third or 10 years of his sentence, whichever is the lesser, except by a unanimous affirmative vote of the board. Challenging it

HISTORY: It tell how must time to spend in prison Requires
Acts 2015, No. 15-185, § 3, Jan. 30, 2016.

ALCODE

BURDEN OF PROOF 1 Challenge Section 15-22-28

and
12-25-22

Alabama Department of Corrections

Sick Call Request

**Reason for Sick Call Request:**

Problem

Name (print):

Kennedy, Minnie

AIS #

130607

Date of Birth

[Redacted]

Institution:

Limestone

Housing Area:

D26

Date:

9-11-20

Sick Call Form Collected by Health Staff: _____ (initials) Title: _____ Date: _____ Time: _____

Request Triaged (check as appropriate):A. ☐ Sick Call Nurse Encounter Not Required(1) ☐ Referring to Chronic Care Manager(2) ☐ Written Response/Instruction Being ProvidedB. ☐ Nurse Sick Call Encounter Required(1) ☐ Bring to HCU at this time for further evaluation(2) ☐ Evaluate in next scheduled Nurse Sick Call Clinic

Signature/Title:

Date:

Sick Call Encounter (Nurse Evaluation Tool Completed):1 ☐ Resolved by Nurse Encounter2 ☐ Referral for follow up required; to be scheduled**Co-Pay Fee Incurred:**☐ \$4.00 - Nurse☐ \$4.00 - OTC(s); If Restrictive Housing-no OTC charge☐ \$4.00 - Scheduled but Refused Encounter(a) ☐ Medical Provider(b) ☐ Dental Clinic(c) ☐ Mental Health Services(d) ☐ Other: _____

Inmate Name

Kennedy, Minnie

AIS#

130607

He was a 17 years old Juvenile
when he was Arrested. No he is 53 years old

State of Alabama Form 62 (Special)		<u>this</u> TRANSCRIPT OF RECORD SHOW ALL (Conviction Report)					
In The CIRCUIT Court Of JEFFERSON County							
STATE OF ALABAMA vs.							
NAME/ ALIASES		Kennedy Minnifield * Kennedy Minniefield * Larry Davis					
INMATE DESCRIPTION		DOB [REDACTED] 67	Sex K M	Height 5-6	Weight 130	Hair Color black	
		Race [] W [X] B [] Other (specify)		Complexion	Age (If DOB missing) 17	Distinguishing	
ARREST INFORMATION		Date of Offense UNK			Initial Arrest Date Nov. 2, 1984		Arresting Of
CHARGES LITERAL		On Conviction: Robbery 1					
COURT INFORMATION		Judge Name Hon. William Cole			Prosecuting Attorney Name Hon. David Barber		
PROBATION INFORMATION		Applied for: Date:		Granted: Date:		Rearrested: Date:	
		[] Yes [X] No		[] Yes [X] No		[] Yes [] No	
SENTENCE INFORMATION		Term of Confinement YR MO DA 30		Act 754-76 [] Yes [X] No		Probation Term (If Act 754) YR MO DA	
		Date Sentenced: 4-18-86		Date Sentence Begins 4-18-86		Jail Credit Ordered [X] Yes [] None	
SENTENCE PROVISIONS		<input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive					
OTHER SENTENCE PROVISIONS		<input checked="" type="checkbox"/> Habitual Offender <input checked="" type="checkbox"/> Youthful Offender (Act 335-72) <input type="checkbox"/> Restitution (Specify & Attach Order) <input type="checkbox"/> Recoupment (Specify & Attach Order) <input type="checkbox"/> Life <input type="checkbox"/> Life w/o Parole <input type="checkbox"/> Death					
APPEAL INFORMATION		Sentence Suspended Date: Pending Appeal [] Yes [] No		Sentence Suspended Date: Pending Appeal [] Yes [] No		Sentenced Affirmed: De	
		3-5-86 We, the Jury, find the defendant guilty of Robbery in the first degree as charged in the indictment. Steve H. Boswell, Foreperson					
		This is to certify was extracted cords and is true the record.					

Date of Birth		United States System		Case Action Summary		JUVENILE	
IN THE JUVENILE COURT OF				Jefferson			
Name		DOB		Case Number		Attorney(s) and A	
Minfield, Kennedy		[REDACTED]		JU 84 52503			
Address		Sex		Race		Grade	
Unk.		M		B			
Zip		School					
Phone Number		Parents/Custodian		Self			
Charge		Case Type					
Robbery 1st		del.					
Filing Date		T.O.		P.O.A.C.W.			
Disposition Action & Date		Hest		Address			
				Phone Number			

all [REDACTED]
Can not use C
All illegal

☒ Appoint For: ☐ Child ☐

DATE	ACTIONS, JUDGMENTS, AND CASE NOTES
11-1-84	<p>This cause coming on for hearing and there being present in open court the child with his attorney, Tony Palletta; the Deputy District Attorney F. W. Neumann, III, and</p> <p>It being shown to the Court that a Motion to Transfer has been filed in this cause by the Deputy District Attorney, the Court ascertains the child and his attorney understood the purpose of this hearing Motion to Transfer, and hearing in this cause; that the child, his attorney, and the Deputy District Attorney have agreed to stipulate facts in this cause which would establish probable cause that said child did on the 16th day of October, 1984, in the Birmingham District of Jefferson County, Alabama, in the</p> <p>course of committing a theft of approximately Three hundred and one (\$351.00) DOLLARS in the legal currency of the U.S.A., the property of Mrs. Winnery Chikun, use force against the person of Eliza W. with intent to overcome his physical resistance or physical power while the said child was armed with a dangerous weapon, to wit: shotgun, in violation of Title 13A-5-41 of the Code of Alabama, and the peace and dignity of the State of Alabama, as alleged in the</p> <p>and</p> <p>The Court being informed that parties also agree to stipulate report of Probation Services of this court which includes a criminal record of the child which shows that he has been previously been transferred to the Criminal Court in two separate cases that he served approximately three (3) years in the State Penitentiary; and</p>

State Claim Burden of Proofthe evidence and facts necessary to entitle him to saidSpecial ArgumentRelief

In order to determine which of these three interpretations implements the intent of the Legislature, we need to consider the history of section 15-22-28(e) of the Code of Alabama. In 1939, the Constitution of Alabama was amended, transferring the power to grant pardons and paroles from the Governor to the Legislative Branch. Amendment No. 38 expressly granted to the Legislature two sets of powers: the power to "provide for" and the power to "regulate" the administration of pardons and paroles. Act No. 275 of the 1939 Legislative Session provided for the administration of pardons and paroles by creating an independent board and spelling out its powers. 1939 Ala. Acts No. 275, 426. Act No. 21, in 1951, created the Special Legislative Committee Investigating Pardons and Paroles, as an exercise of its power to regulate the administration of pardons and paroles. 1951 Ala. Acts No. 21, 194.

EXHIBIT

The provision now appearing as section 15-22-28(e) of the Code of Alabama was enacted in 1951, after the special committee conducted a thorough investigation of irregularities at the Parole Board.¹ This provision was first enacted in section 8 of Act No. 599. 1951 Ala. Acts No. 599, 1030. The Committee Report made eleven legislative recommendations, designated by the letters "A" through "K." Recommendation "H" stated: "The Board should be prohibited from paroling any prisoner until he has served at least one third of his sentence or ten years in the penitentiary, whichever is the lesser, except by a unanimous affirmative vote of the Board." Report of the Special Legislative Committee Investigating Pardons and Paroles at 3 (1951). Prior to enactment of Act No. 599, a majority of the Board could grant parole at any point in the sentence.

See this Documentall Supporting evidenceBurden of Proof

It appears that the Legislature intended to ensure that each prisoner served enough time to allow the Board to make a reasonable evaluation of his progress toward rehabilitation. Any of the three interpretations hypothesized is consistent with this intention. The Committee that drafted the statute and urged its adoption told their colleagues that they believed a reasonable benchmark was "one third of the sentence or ten years in the penitentiary, whichever is the lesser." (See Committee Report, "Legislative Recommendations," ¶H, p. 6.). We believe great deference should be given to the longstanding interpretation of the Board. Moreover, the interpretation is consistent with what the Legislature intended.

See DocumentSee this Abuse of PowerKennedy Minnifield has done 36 long years

The Legislature has amended and reenacted the parole statutes several times since 1951. If the Legislature disagreed with the Board's administrative interpretation of this statute, it could have amended the statute to clear up the ambiguity. It is reasonable to infer that the Legislature intended, when it enacted the 1975 Code, to adopt each section

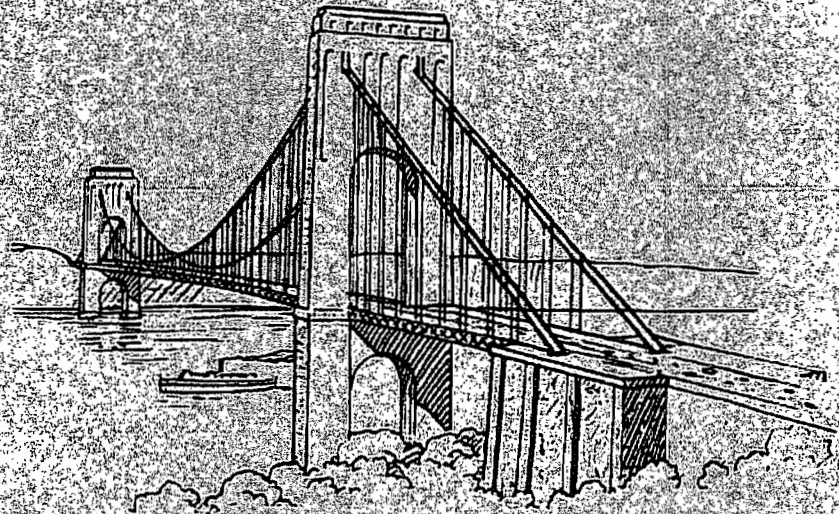
NEW ~~REVISIONS~~ - Discovery - new

CORE Graduation Class of 2019

Transforming Lives by Renewing Minds

Sunday, October 6, 2019

1:00 PM



Bridging the Gap Between Corrections and Community

The Graduates

See

CORE Class of 2019

Charlie Alexander, John Ballard, Demetrius Bradford, Michael Cody, Frederick Dumas, Devan Ellis, Samuel Fluker, Frank Gooden, Jason Hall, Benjamin Hardy, Aubrey Lavender, Anthony Leeks, Lacedrick Lindsey, Louie Mauldin, John Means, Phillip Menefee, Shane Miskelley, Ricky Padgett, Joseph Russell, Gary Stovall, Detrick Tyler, Fletcher Turner, Gary White, James Williams, Jermaine Williams, and Timothy Wright

See Rehabilitation Programs

CORE+ Class of 2019

Alan Adams, Manuel Alvarez, Troy Archie, Theodore Bonner, Tony Bradford, Darren Coleman, Joseph DeCamp, Gregory Dowdell, Jeff Hamby, Samuel Hendrix, Christopher Hughes, Timothy Hullett, Mikeal Lemmon, Larry Massey, Robert Mathis, Jessie McDole, Willie Meeks, Robert Merrill, Justin Miller, Kenny Minifield, Dwight Moneyham, Mark Moore, Jamie Pugh, Marvin Ridley, Frederick Rincher, Jorge Romero, Richard Sandlin, Willie Triplett, Corey Wood, and Arthur Woodruff

See

Just 1 opportunity to be released on parole

CORE Green Class of 2019

David Bean, Reginald Beck, Kevin Collins, Donald Daniel, Kenneth Davis, Kendrick Gray, Eric Green, Zachary Halstead, Jeremiah Hamill, Earl Hawkins, Matthew Kinney, Clempson Martin, John Rogers, Charles Smith, Wayne Spruiell, Thomas Summers, William Thompson, Jarod Turner



JEFFERSON DUBOIS
COMMISSIONER

Certificate of Completion

Presented to

KENNEDY MINNIFIELD

AIS #130651

*for successful completion of the
"LIFE SKILLS"*

February 11, 2020

Bibb County Correctional Facility
Brent, Alabama

Annette Smith ADA Coordinator

Warden's Signature

See - Rehabilitation Programs

Sponsored by:

The Alabama Department of Corrections
Psychological Services

Grounds For Relief

State Claim - Alabama Prison System is actually Suffering From Overcrowding.

State Claim - 14th Amendment Constitutional Rights
the Law and the Constitution apply to all US
equally and the Same.

the United States Constitution actually
Sure him said Relief. or to be Released
Under Equal opportunity. 1. Fair ~~board~~
opportunity to make Parole as well;

See Case. Newmans vs. Alabama 603 F.2d 1312 1982.

Violations his Rights Under the ~~Constitution~~ ~~law~~
laws of the United States. Constitution or

Challenging the ~~Constitution~~ Constitution and Law.

Legal Argument Request For Oral Argument
Hearing: all these high Risk Cases the Parole board
has Granted them Parole: over and over

MURDER Cases - Rape Cases - Sexual molestation Cases.
Sexual assault and Robbery Cases.

after Federal Court Review this legal Argument
Court will actually Agree.

all those Kind of high Risk cases has being
Giving an Fair opportunity to Make Parole.

The Pleader is entitled to make Parole too.
State a Claim - which Relief can be Granted.

The United States Constitution Sure him Relief
Under the 14th Amendment Equal Protection of
Law Clause: Constitution Right.
Constitution Violation must be heard.

Alabama Department of Corrections

Sick Call Request



Reason for Sick Call Request:

Name (print): _____ AIS # _____ Date of Birth _____

Institution: _____ Housing Area: _____ Date: _____

Sick Call Form Collected by Health Staff: _____ (initials) Title: _____ Date: _____ Time: _____

Request Triage (check as appropriate):

- A. ☐ Sick Call Nurse Encounter Not Required (1) ☐ Referring to Chronic Care Manager
 (2) ☐ Written Response/Instruction Being Provided
- B. ☐ Nurse Sick Call Encounter Required (1) ☐ Bring to HCU at this time for further evaluation
 (2) ☐ Evaluate in next scheduled Nurse Sick Call Clinic

Signature/Title: _____ Date: _____

Sick Call Encounter (Nurse Evaluation Tool Completed):

- 1 ☐ Resolved by Nurse Encounter 2 ☐ Referral for follow up required; to be scheduled
- Co-Pay Fee Incurred: _____ (a) ☐ Medical Provider
 _____ \$4.00 - Nurse (b) ☐ Dental Clinic
 _____ \$4.00 - OTC(s); If Restrictive Housing-no OTC charge (c) ☐ Mental Health Services
 _____ \$4.00 - Scheduled but Refused Encounter (d) ☐ Other: _____

Inmate Name _____

AIS# _____

Conclusion demand For a Jury trial

Please Acknowledgment

Plaintiff Minnifield. has no other way OR NO
Other Avenue after 36 long years to be

Release:

Sec Rule 39. A.R. Civil Procedure:

State Claim. Challenging the Parole decision.
and Challenging Section 12-25-32 in violation
of. This is what i want Federal Court to do;

Request this Federal Court Reverse any and
all Judgment of the Parole Board Please:

after 36 long years he is actually
Request For immediately Release.

Questions of Laws after 36 long years
Can Kennedy Minnifield be Giving Just
(1) Fair opportunity to be Release?

Request For a Federal Court order to have
him Release. Request For oral argument
hearing. 14th Amendment. Due Process Violation
must be Giving an Fair opportunity to be heard
in open Court.

Certificate of Service

i have Put a copy of this lawsuit in
D.C. Mail Box #25-20

Kennedy Minnifield